REMARKS

In the Office Action, the Examiner objected to the Amendment filed 30 August 2006 under 35 U.S.C. 132(a); rejected claims 1, 15 and 27 under 35 USC 112, first paragraph; rejected claims 1 and 15 under 35 USC 112, second paragraph; rejected claims 1, 15 and 27 (and presumably claims 11-13, 16-19, 21-23, 25, 26, 28-31 and 33-42) under 35 USC 102(e); and rejected claims 10, 14, 20, 24 and 32 under U.S.C. §103(a). These rejections are fully traversed below.

Claims 1, 15, and 27 have been amended to further clarify the subject matter regarded as the invention. Thus, claims 1-42 remain pending. Reconsideration of the application is respectfully requested.

In section 3 of the Office Action, the Examiner objected to the Amendment filed 30 August 2006 (Amendment D) under 35 U.S.C. 132(a) because it allegedly introduced new matter into the disclosure. Specifically, in section 3(a) of the Office Action, the Examiner states that claims 1, 15, and 27 are directed towards a proprietary format which is not understood by the second application program. Applicants respectfully disagree. Nevertheless, to expedite prosecution, claims 1, 15 and 27 have been amended to obviate the concerns raised by the Office Action. As such, Applicant respectfully requests that this rejection be withdrawn. Additionally, in section 3(b) of the Office Action, the Examiner objected to language that describes a first application program as a music manager and player, and the second application program as an image or video manager and viewer. No claim is identified by the Examiner. Thus it is unclear what claims the Examiner is referencing. Upon examination of the application, Applicants note that the language cited by the Examiner occurs in claims 14 and 24. However, neither claim 14 nor 24 was amended in Amendment D. Moreover, claims 14 and 24 are original claims which themselves form part of the patent application as originally filed. In any event, Applicants respectfully request that this objection be withdrawn.

In section 2 of the Office Action, the Examiner rejected claims 1, 15 and 27 under 35 USC 112, first paragraph, as failing to comply with the written description requirement. No reason for this rejection is identified. Thus, Applicants believe that

no *prima facie* rejection under 35 USC 112, first paragraph, has been established regarding claims 1, 15 and 27. To the extent that the 35 USC 112 rejections relate to the Examiner's concerns regarding the 35 USC 132(a) rejections, any rejection under 35 USC 112, first paragraph, would be traversed for the same reasons as noted above regarding the objection under 35 U.S.C. 132(a).

In section 5 of the Office Action, the Examiner rejected claims 1 and 15 under 35 USC 112, second paragraph, for failing to particularly point out and distinctly claim the subject matter which Applicants regard as to the invention. Claims 1 and 15 have been amended to correct the informality to which the Examiner refers. As such, Applicants respectfully submit that the rejection under 35 USC 112, second paragraph, be withdrawn.

In section 6 of the Office Action, the Examiner rejected independent claims 1, 15 and 27 under 35 USC 102(e) as being anticipated by Lysenko, et al. (US Patent 7,089,319), hereinafter Lysenko. Claims 1, 15, and 27 all refer to "database data in a proprietary format". However, the Examiner points to column 3, lines 26-30, which discusses proprietary "multimedia file types", which, Applicants contend, refers to something completely different than contemplated in Lysenko.

As an example, in paragraph [0005] of the present application, it is explained that the "invention pertains to techniques for sharing data with other application programs. The techniques allow data sharing between different application programs on a computer system." Further, paragraph [0005] lists "database data" as one type of data that can be shared. In paragraph [0006] of the present application, the concept of database data is further explained:

> The invention is particularly well suited for application programs that utilize databases to store media information pertaining to media items. The media information can include properties of the media items as well as links to storage locations for corresponding media content files that store the media content.

As a general rule, multimedia file types are simply file types, such as MP3 which is a well known file type, for multimedia files. Multimedia files contain media content and, in some cases, metadata describing the media content (for example ID3 tags). In contrast, databases typically store information in the form of records. For example, a database could store information about group of files. For example, in

paragraph [0006] quoted above, it states that databases 'store media information pertaining to media items' (i.e., information about media files). Clearly, a proprietary multimedia file type as described in Lysenko, such as an MP3 file type, is not equivalent to a proprietary database that stores 'properties of … media items' in a proprietary format.

Regarding claim 1 of the present application, database data is referred to specifically. In part, claim 1 reads:

> (a) accessing, by a second application program, a data communication file provided by a first application program, the first application program utilizing **database data** in a proprietary format …(Emphasis added).

Thus, claim 1 refers, not to proprietary multimedia file types (e.g., MP3) but rather to information that pertains to those media items (i.e., database data.) Lysenko neither contemplates nor discusses database data. Therefore, for at least this reason, Applicants respectfully assert that Lysenko does not anticipate claim 1.

As to independent claims 15 and 27, these claims contain elements similar to that as described above with respect to claim 1. As such, Applicant respectfully submits that these claims are in condition for allowance for similar reasons as claim 1.

Dependent claims 2-14, 16-26 and 28-42 are also patentably distinct from the cited references for at least the same reasons as those recited above for the independent claim, upon which they ultimately depend. These dependent claims recite additional limitations that further distinguish these dependent claims from the cited references.

Based on the forgoing it is respectfully requested that the Examiner withdraw the rejection under 35 USC 102(e).

The Examiner also rejected dependent claims 10, 20 and 32 under 35 USC 103(a) as being unpatentable over Lysenko in view of Book et al. (US 2003/0223566) and dependent claims 14 and 24 under 35 USC 103(a) as being unpatentable over Lysenko in view of Perkes et al. (US 2002/0194601). However, neither Book et al. nor Perkes et al. overcome the deficiencies of Lysenko regarding the proprietary format of

the database data as discussed above in regards to the claims that these dependent claims depend on. For at least this reason, claims 10, 14, 20, 24 and 32 are patentably distinct from the cited references for at least the same reasons as those recited above for the independent claim, upon which they ultimately depend. Moreover, these dependent claims recite additional limitations that further distinguish these dependent claims from the cited references. For at least these reasons, it is submitted that these claims are not obvious from any reasonable combination of Lysenko with Book et al. or Perkes et al.

SUMMARY

It is submitted that the previous Amendment did not introduce new matter. It is also submitted that all pending claims satisfy the requirements of 35 USC 112. Still further, it is submitted that all pending claims are patentably distinct from Lysenko with Book et al. or Perkes et al. Reconsideration of the application and an early Notice of Allowance are earnestly solicited.

If there are any issues remaining which the Examiner believes could be resolved through either a Supplemental Response or an Examiner's Amendment, the Examiner is respectfully requested to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

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